

OCT 25 2007

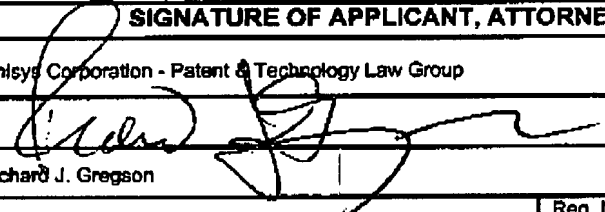
PTO/SB/21 (09-06)

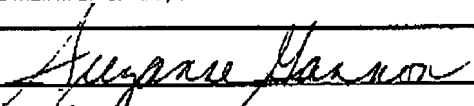
Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                        |                          |
|---|------------------------|--------------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/759,488               |
|   | Filing Date            | January 18, 2004         |
|   | First Named Inventor   | Jane Campbell Mazzagatti |
|   | Art Unit               | 2163                     |
|   | Examiner Name          | T. Dang                  |
|   | Attorney Docket Number | TN820                    |
| Total Number of Pages in This Submission  |                        | 4                        |

| ENCLOSURES (Check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input checked="" type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks<br>The attached documents are being filed in the USPTO on October 25, 2007 to fax number 571-273-8300   |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |        |
|--|---|----------|--------|
| Firm Name                                  | Unisys Corporation - Patent & Technology Law Group                                  |          |        |
| Signature                                  |  |          |        |
| Printed name                               | Richard J. Gregson  |          |        |
| Date                                       | October 25, 2007  | Reg. No. | 41,804 |

| CERTIFICATE OF TRANSMISSION/MAILING   |   | fax: 571-273-8300 |                  |
|---|---|-------------------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |   |                   |                  |
| Signature   |  |                   |                  |
| Typed or printed name   | Suzanne Gannon  | Date              | October 25, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED  
CENTRAL FAX CENTER****DOCKET NO.: TN320****OCT 25 2007****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In Re Application of:****Mazzagatti****Customer No.: 27276****Application No.: 10/759,466****Group Art Unit: 2163****Filing Date: January 16, 2004****Examiner: T. Dang****For: SAVING AND RESTORING AN INTERLOCKING TREES DATASTORE****TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OF A PENDING SECOND APPLICATION**

The owner, **Unisys Corporation**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **10/958,830**, filed on **October 5, 2004** now U.S. Patent 7,213,041, issued on May 1, 2007. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event

**DOCKET NO.: TN320****2****PATENT**

that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

*Check either box 1 or 2 below, if appropriate.*

- ☐ 1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
- ☐ The required statement under 37 CFR § 3.73(b) is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- ☒ 2. The undersigned is an attorney of record.

**FEE STATUS**

- ☐ 3. Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.

DOCKET NO.: TN320

3

PATENT

- ☐ 4. Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:

- ☐ an Independent Inventor  
☐ a Small Business Concern  
☐ a Nonprofit Organization  
☐ Small Entity - \$65.00

- ☒ 5. Other than a Small Entity - \$130.00

Date: 25 October 2007



Richard J. Gregson  
Registration No. 41,804

UNISYS CORPORATION  
Unisys Way, MS/E8-114  
Blue Bell, PA 19424  
(215) 986-3325